

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 10/049,586	<b>Applicant(s)</b> BLACKSHEAR ET AL.	
	<b>Examiner</b> Bradley L. Sisson	<b>Art Unit</b> 1634	

**All Participants:**
**Status of Application:** 121

 (1) Bradley L. Sisson.

 (3) Gwendolyn D. Spratt, Reg. No. 36,016.

 (2) Ram Shukla, Ph.D., SPE AU 1634.

 (4) P. Brian Giles, Reg. No. 57,896.
**Date of Interview:** 16 March 2007
**Time:** 3 PM EDT
**Type of Interview:**

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

 Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

**Part I.**

Rejection(s) discussed:

*Potential rejection under 102(e) and/or 103(a), and possible interference*

Claims discussed:

53-61, 71 and 72

Prior art documents discussed:

US Patent 6,627,398 B1 (Wilusz et al.)

**Part II.**
**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**
*See Continuation Sheet*
**Part III.**

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: It was agreed that the method of Wilusz et al., did not specifically identify the step of detecting binding between the TTP or TTP-like protein and the ARE and as such, no issue under 35 USC. 102(e) existed, nor was there a potential interference issue. SPE Shukla, and Primary Examiner Sisson did indicate that potential issue under 103(a) did exist, noting that Wilusz et al., did specifically identify tristetraprolin (TTP) as one of several compounds that binds AU-rich element (ARE) and impacts mRNA degradation. Various potential claim amendments were discussed which would distinguish the claims over Wilusz et al., as well as the aspect of filing a declaration under 37 CFR 1.131, thereby establishing conception prior to priority date of Wilusz et al., and therein removing it as available prior art. Ms. Spratt and Mr. Giles indicated that they would endeavor to perfect a 131 declaration. .